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ABSTRACT

The document reports the changes states have made in their monitoring of the provision of special education services by local education agencies from 1997 to 2001. It includes a brief background on the federal monitoring process and an outline of the federal requirements for state monitoring. Changes in state monitoring systems are discussed, including changes in monitoring approaches, monitoring scope and personnel, and the monitoring process. The report concludes that by following the Office of Special Education Program's (OSEP's) lead in restructuring its monitoring process, state monitoring systems have continued to evolve and have been influenced greatly by OSEP's Continuous Improvement Monitoring Process (CIMP). There has been a move toward systems that link compliance with improved outcomes and results. States have placed increase emphasis on CIMP components, including being data-driven; linking monitoring to state standards and priorities; emphasizing local and state collaboration; using self assessment, including public input; and using improvement plans instead of corrective action plans. The increased interest in focused monitoring at the federal level has been followed by an increase in the number of states using such a model. Finally, the majority of states reported an increase in the number of state-level monitoring personnel since 1997. (Contains 10 references.) (CR)

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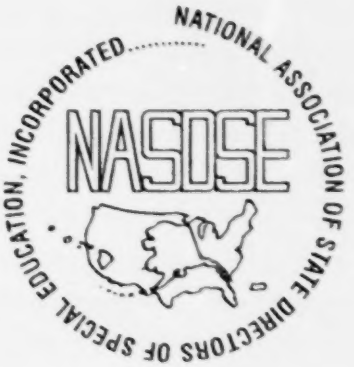
Recent Changes in State Special Education Part B Monitoring Systems

by

Jennifer Tschantz



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Recent Changes in State Special Education Part B Monitoring Systems

Introduction

Background and Purpose

Since 1992, Project FORUM at the National Association of State Directors of Special Education (NASDSE) has produced four documents on the topic of monitoring (Ahearn, 1992, 1995, 1998, 2000). The first summarized data collected for the second National Monitoring Conference in 1992. The next three documents provided in-depth reports of the third, fourth and fifth National Monitoring Conferences

Coinciding with the third and fourth National Monitoring Conferences, the Regional Resource Centers (RRCs) Network conducted national surveys of state monitoring practices that resulted in documents entitled *Profiles of State Monitoring Systems 1994* and *1997*. In addition to reporting on the proceedings of the monitoring conferences, Project FORUM summarized findings from these national surveys in its 1995 and 1998 documents.[1] The most recent national survey was conducted in 2001 to coincide with the National Monitoring Conference scheduled for fall 2001 (Regional Resource and Federal Centers [RRFC] Network and the National Early Childhood Technical Assistance System [NECTAS], 2001). Due to the events on September 11, 2001, this monitoring conference was postponed until the fall of 2002.

The purpose of this document is to build on the preceding four Project FORUM monitoring documents by reporting the changes states have made in their monitoring of local education agencies (LEAs) and other entities from 1997 to 2001. This document was developed by Project FORUM through its Cooperative Agreement with the U.S. Department of Education Office of Special Education Programs (OSEP). FORUM staff compared survey responses in the *Profiles of State Monitoring Systems 1997* (RRCs Network, 1997) to those in the *Profiles of State Monitoring Systems 2001* (RRFC Network and NECTAS, 2001).

This document includes a brief background on the federal monitoring process and an outline of the federal requirements for state monitoring. Changes in state monitoring systems are discussed, including changes in monitoring approaches; monitoring scope and personnel; and monitoring process. The last section contains concluding remarks.

Federal Monitoring of States

Continuous Improvement Monitoring Process (CIMP)

Since 1975, OSEP has monitored state education agencies (SEAs) for their compliance with Part B of IDEA. According to the 23rd Annual Report to Congress on the Implementation of IDEA (U.S. Department of Education, 2001), OSEP's accountability work has focused on

[1] In 1999, a national survey was not conducted to coincide with the monitoring conference since many states were in the process of changing monitoring practices to reflect the 1997 reauthorization of the Individuals with Disabilities Education Act (IDEA).

" . . . improved results for infants, toddlers, children and youth with disabilities without sacrificing any effectiveness in ensuring that the individual rights of children with disabilities and their families are protected" (p. IV-1). Originally termed *program administrative review*, federal monitoring procedures have evolved over the years. The result has been the development and evolution of OSEP's Continuous Improvement Monitoring Process (CIMP). CIMP is built on eight critical themes: (a) continuity; (b) partnership with stakeholders; (c) state accountability; (d) self-assessment; (e) data-driven; (f) public process; (g) technical assistance; and (h) evidence of change that improves results for children with disabilities and their families.

CIMP is an on-going process and includes:

- self assessment;
- data collection by OSEP in selected states;
- improvement planning;
- implementation of improvement strategies;
- verification and consequences; and
- review and revision of self assessment.

OSEP customizes its monitoring based on the needs of individual states and organizes monitoring around the following four "clusters" for Part B:[2]

- parent involvement;
- free appropriate public education in the least restrictive environment;
- secondary transition; and
- general supervision.

These cluster areas are used to organize the requirements of IDEA that provide the strongest links to improved results for infants, toddlers and students with disabilities. The specific activities conducted during each phase of monitoring are described in the 23rd Annual Report (U.S. Department of Education, 2001, pp. IV-1-6).

Focused Monitoring

In addition to CIMP, the use of focused monitoring has been discussed at the federal level in recent years as " . . . a data-driven approach to monitoring characterized by focusing on a small number of carefully chosen priorities that have the greatest impact on improving results for infants, toddlers, children and youth with disabilities" (U.S. Department of Education, 2001). In 2000, a group of stakeholders met for the first time to begin the development of a focused monitoring model for OSEP to use when monitoring states. This group is still in the process of developing the model and identifying priorities and indicators. However, several key elements of focused monitoring have been identified as essential components: (a) selection of a limited number of priorities, each supported by measurable indicators; (b) data/evidence-based decision making; (c) technical assistance to states in need of improvement; (d) the use of standard, uniform performance benchmarks when making monitoring decisions; (e) attention to diverse

[2] There are an additional five "clusters" for Part C—services for children birth through two—that can be found in the 23rd Annual Report to Congress (U.S. Department of Education, 2001, pp. IV-1-6).

populations; (f) assurance that the state has an effective dispute resolution system; and (g) clear triggers for the initiation of interventions and sanctions.

State Monitoring of LEAs

Since its original passage in 1975, the IDEA has held SEAs responsible for monitoring how LEAs provide programs and services for students with disabilities. The following portion of IDEA, as amended in 1997, is the current legislative wording for the state supervisory role:

> (11) STATE EDUCATIONAL AGENCY RESPONSIBLE FOR GENERAL SUPERVISION-
>
> (A) IN GENERAL- The State educational agency is responsible for ensuring that –
>
> (i) the requirements of this part are met; and
>
> (ii) all educational programs for children with disabilities in the State, including all such programs administered by any other State or local agency –
>
> (I) are under the general supervision of individual in the State who are responsible for educational programs for children with disabilities; and
>
> (II) meet the educational standards of the State educational agency. [20 U.S.C. Chapter 33, Sec. 1412(a)]

Analysis of Survey Results

This section highlights the changes SEAs have made in their monitoring of LEAs and other entities between 1997 and 2001. These findings are based on information SEAs provided via their responses to the surveys conducted in 1997 and 2001 (RRC Network, 1997; RRFC Network and NECTAS, 2001). The surveys were similar and included a questionnaire and narrative summary. The questionnaires included items regarding the state's monitoring scope, personnel, process/materials/guidance and changes. For the narrative summaries, each SEA was asked to include an overview of its monitoring system, unique features and changes being considered. In 2001, states were asked to describe any impact that OSEP's CIMP had on their monitoring of LEAs. In 1997, 49 SEAs responded to the survey and in 2001, 48 SEAs responded. The changes in state monitoring systems are described under three major topics: monitoring approach; scope and personnel; and process.

Monitoring Approach

General Approach

The monitoring of LEAs in most states is an ever-evolving process. In 1997, 35 out of 49 SEAs were making or considering major revisions to their monitoring system. In 2001, the vast majority of SEAs reported making major revisions within the last few years (43 reported making changes since 1999). Monitoring systems across states vary considerably. Specific variations

are described below in the Monitoring Process section (pp. 6-8). In 2001, several SEAs reported having different monitoring options depending on the needs or concerns of each LEA.

Despite the changes over time and variation across states in monitoring processes, most SEAs described using a similar cyclical approach to monitoring that included pre-visit, on-site and post-visit activities. Pre-visit activities included self-assessments, record and data reviews, and "desk audits" (review of paperwork and data). Descriptions of on-site visits were fairly similar across states and often involved interviews (with staff, administrators, parents and/or students), observations and record and data reviews. Post-visit activities included a report written by the SEA and/or LEA, development of a Corrective Action Plan (CAP) or Improvement Plan (IP) and technical assistance and follow-up. Many SEAs reported that they provide technical assistance throughout their monitoring process.

Influence of CIMP

OSEP's CIMP has impacted individual states in different ways. Of the 48 SEAs responding to the 2001 survey, nine described monitoring systems that closely resembled or "mirrored" the federal CIMP. Several of these changed the name of their monitoring system to reflect CIMP (e.g., Colorado CIMP). In addition to these nine SEAs that "mirror" CIMP, thirty-two have incorporated one or more elements of CIMP into their state monitoring process. These elements, varied and unique to individual states, included: using self-assessments; linking quality and results to monitoring; being data-driven; using an Improvement Plan (IP) instead of a Corrective Action Plan (CAP) and requiring public input and emphasizing collaboration between LEAs and the SEA. Of these 32 SEAs, five were in initial stages of implementing their new monitoring process and four were planning more revisions based on CIMP. Only seven SEAs reported minimal changes between 1997 and 2001. These seven relied on more traditional compliance monitoring and did not include elements of CIMP.

Focused Monitoring

The number of SEAs that reported the use of focused or targeted monitoring[3] increased from 31 in 1997 to 39 in 2001. Fifteen of the 39 SEAs that used focused monitoring in 2001 did not use it in 1997.[4] In 2001, 25 of the 39 SEAs provided descriptions of their focused monitoring. SEAs described three basic approaches to focused monitoring: (a) targeting statewide issues or priorities; (b) targeting individual LEA-identified issues; and (c) targeting significant problems that emerged in individual LEAs. The state variations in approaches to focused monitoring are summarized in Table 1.

Of the 25 SEAs that provided descriptions in 2001, 13 used statewide priorities to focus monitoring. For one of these SEAs, focused monitoring of all LEAs on statewide priorities was an additional activity to its cyclical monitoring. Eight of the 13 used LEA performance on

[3] Both the 1997 and 2001 surveys asked if the state uses "focused/targeted monitoring." The reader should note that a definition of "focused/targeted monitoring" was not provided, therefore results summarized here are based on the respondents' own definition.

[4] The two states that did not participate in the 2001 survey used focused monitoring in 1997 and five states that used focused monitoring in 1997 no longer did in 2001.

statewide priorities to individualize monitoring of LEAs due for cyclical monitoring. Four of the 13 used statewide priorities to determine which LEAs to monitor and usually the lower performing LEAs were monitored. However, in one state, both the highest and lowest performing LEAs were monitored each year along with 10 percent of the average performing districts.

Two of the 25 SEAs that provided descriptions used LEA-identified issues/topics to focus monitoring based on the LEA's self-assessment results. Six of the 25 SEAs used focused monitoring to address serious problems that emerged in individual LEAs. These six states relied on the following sources to determine when serious problems emerged: significant numbers of complaints and hearings; on-going/unresolved non-compliance; significant numbers of citations; systemic non-compliance and failure to make progress on statewide initiatives. Four of the 25 SEAs reported a mix of different approaches to focused monitoring—two used both statewide priorities and LEA priorities and two used both statewide priorities and significant problems in individual LEAs.

Table 1
Variations in SEA Approach to Focused Monitoring (FM) – 2001
(n=25)*

(A) State-wide issues/priorities		(B) LEA-identified issues	(C) Problematic LEAs	(D) Mix of approaches	
Total = 13		Total = 2	Total = 6	Total = 4	
All LEAs	1				
Part of cyclical monitoring	8			Approaches A & B	2
SEA uses FM to determine LEAs to monitor	4			Approaches A & C	2

*Only 25 of the 39 SEAs using focused monitoring provided descriptions.

Monitoring Scope and Personnel

Entities Monitored[5]

In both 1997 and 2001, SEAs were asked about the number of entities they monitored. Response categories were somewhat different on the two surveys.[6] In 1997 SEAs were asked how many "LEAs" were monitored and in 2001 how many "local districts." In comparing these items, the total number of local districts/LEAs monitored decreased from 12,242 to 11,879. In 1997, a total of 522 intermediary education units (IEUs) and 470 "other state entities" were monitored. In 2001, a total of 575 state operated schools and 437 "other entities" were monitored. From 1997

[5] Since each state structures its system differently, it is difficult to summarize these data.
[6] In 1997, response categories included LEAs, intermediary education units and other state entities. In 2001, response categories included local districts, state operated schools and other entities. Both surveys included private and charter schools as response categories. It is important to note that two or more local districts can make up an LEA; and depending on state law, charter schools may be part of an LEA or their own LEA.

to 2001 SEAs reported an increase in the number of private schools monitored from 1,375 to 1,518. The number of charter schools monitored more than doubled from 440 to 932.

Monitoring Personnel

In 1997, SEAs were asked to report the number of monitoring personnel located in the SEA central office and "elsewhere;" whereas in 2001 they were asked to report the number located in the SEA central office, regional offices, and "elsewhere." From 1997 to 2001, those working in SEA central offices increased from 193 to 381 full-time equivalents (FTE) and those working elsewhere increased from 133 to 167 FTE. Of the 167 FTE working elsewhere in 2001, 96 FTE worked in regional offices. The total number of reported SEA monitoring personnel increased from 326 to 548 FTE. Although this appears to be a substantial increase, the data collection and analysis procedures were not consistent from year to year and there were some discrepancies and concerns with the numbers reported. For example, several states reported numbers of actual staff instead of FTE; one state reported a high number of intermediate education unit staff as state monitoring staff in 2001 but not in 1997; and a few states seemed to increase FTE for state monitoring staff by extreme amounts (increases by 72, 28, and 23 FTE). Therefore the increase may be exaggerated by the data reported. It should also be noted that of the 47 SEAs reporting data both years, 29 reported increases in monitoring personnel, 12 reported decreases, and six reported no change. More descriptive information on monitoring personnel was beyond the scope of this data collection and analysis. Therefore, the limited quantitative data on this topic precludes a more detailed discussion of these findings.

The Monitoring Process: Specific Characteristics/Areas of Change

Monitoring Cycle

In 1997, all 49 SEAs participating in the survey monitored on a cyclical basis and in 2001, 43 of the participating 48 SEAs monitored cyclically. The average monitoring cycle remained about the same for states that reported cyclical monitoring (4.70 years in 1997 and 4.66 years in 2001). Two of the 43 SEAs in 2001 described flexibility in their monitoring cycles, based on the needs or issues in the LEAs. In 2001, four SEAs did not monitor on a cycle and one did not report a cycle because it was in the process of implementing a new monitoring system.

Self-assessments[7]

There was a substantial increase in the number of SEAs using LEA self-assessments in monitoring, from 29 in 1997 to 42 in 2001. However, three SEAs that had used LEA self-assessments in 1997 reported no longer using them in 2001. Even though they were not specifically asked, 32 of the 42 SEAs using self-assessments in 2001 described at least one aspect of their LEA self-assessments. The amount and type of description varied greatly. Therefore the following statements do not reflect the general use of LEA self-assessments; rather they provide a glimpse of how some individual SEAs use self-assessments. These are descriptions, not mutually exclusive categories.

[7] The self-assessment question was asked somewhat differently each year. In 1997 the survey item stated "LEA self-monitoring is a part of our process" and in 2001 "our monitoring includes a review of local self-assessments."

Fifteen SEAs reported that the LEA self-assessment was the first step in their monitoring process or cycle. Three SEAs reported that all LEAs conduct a self-assessment annually. Many SEAs described self-assessment components similar to OSEP's CIMP—seven described verification of the LEA self-assessment as a step in their monitoring process, four viewed the self-assessment as the "foundation" or "core" of their new monitoring process and eleven mentioned that a local team or steering committee conducted the self-assessment.

Including Quality and Outcome Measures

The number of SEAs including quality and outcome measures in monitoring has increased. In 1997, SEAs were asked to respond to two separate items related to quality and outcomes: "Our monitoring goes beyond legal obligations to include program quality" and "Our monitoring goes beyond legal obligations to include student outcome/results." Twenty-four SEAs responded affirmatively to the quality item and 12 indicated that they included student outcomes/results.

In 2001, SEAs were asked one item related to quality and outcomes: "our monitoring includes quality or outcome measures." Thirty-seven SEAs indicated they included quality or outcome measures in monitoring. As part of their 2001 narratives, many SEAs discussed the dual purpose of monitoring as ensuring compliance and improving program quality and/or results for children with disabilities. Sixteen SEAs discussed linking monitoring to state standards, indicators or performance goals.

Participation on State Monitoring Teams

There was variability in who participates on state monitoring teams across states and over time within the same state. The same number of SEAs used LEA peers on teams in 1997 and 2001 (26). However, only 17 SEAs used LEA peers both years.[8] There was an increase in the number of SEAs using parents on teams from five in 1997 to 14 in 2001. There was also an increase in the number of SEAs reporting "others" on state monitoring teams from 20 in 1997 to 24 in 2001. However, only 10 states reported using "others" both years.

Coordinating Monitoring with Part C of IDEA[9]

Since the survey items related to Part C were different on the two surveys, changes in monitoring practices were difficult to detect. In 1997, six SEAs conducted monitoring "in conjunction" with the Part C lead agency and 10 reported making adaptations in their monitoring system to include Part C monitoring. In 2001, seven SEAs reported that Part B monitoring was "coordinated with the Part C lead agency" and six SEAs indicated their monitoring system integrated Part B and

[8] Nine SEAs using LEA peers in 1997 no longer did in 2001.

[9] Survey items related to Part C (services for children birth though two years) were somewhat different on the two surveys. In 1997, the two survey items stated: "Our monitoring is conducted in conjunction with the Part C lead agency" and "We have made adaptations to our monitoring system to include Part C." In 2001, the two survey items stated: "Our Part B monitoring is coordinated with the Part C lead agency" and "Our state monitoring system integrates Part B and Part C."

Part C. For more information about Part C monitoring, see http://interact.uoregon.edu/wrrc/monitor/profmonitoring.html

Consolidating Monitoring with Other Education Programs[10]

Slightly fewer SEAs reported consolidating IDEA monitoring with other education programs in 2001 than in 1997. In 1997, 19 SEAs reported IDEA monitoring was conducted "in conjunction" with other SEA monitoring. In 2001, 13 SEAs reported IDEA monitoring was "consolidated" with other education monitoring and two SEAs were considering consolidating their monitoring activities with other education programs.

Sanctions and Enforcement Strategies

Over the four-year period from 1997 to 2002, more SEAs reported using a wider range of sanctions and enforcement strategies. In 1997, 19 SEAs used "sanctions other than fiscal sanctions" and in 2001, 42 SEAs reported used "an array of enforcement strategies and sanctions." As noted, the survey wording on the use of sanctions and enforcement strategies changed from 1997 to 2001.

Concluding Remarks

Following OSEP's lead in restructuring its monitoring process, SEA monitoring systems have continued to evolve and it is clear that SEA monitoring systems have been influenced greatly by OSEP's CIMP. There has been a general move away from traditional compliance monitoring to systems that link compliance with improved outcomes and results. SEAs have placed increased emphasis on CIMP components, including: being data-driven; linking monitoring to state standards and priorities; emphasizing LEA-SEA collaboration; using self-assessments and local steering committees, including public input; and using Improvement Plans (IP) instead of Corrective Action Plans (CAP).

The recent increased attention and interest in focused monitoring at the federal level (including the monitoring stakeholder workgroup that is developing a focused monitoring model) has been followed by an increase in the number of SEAs using such a model. The further development of focused monitoring models may create a viable approach at both the federal and state level for ensuring compliance with IDEA while improving results for children with disabilities. As mentioned previously, there is not one consistent definition of focused monitoring used across the country. The 2001 narrative summaries indicated that SEAs used focused monitoring somewhat differently, suggesting the need for more in-depth examination and analysis of this term and approach.

The majority of SEAs reported an increase in the number of state-level monitoring personnel since 1997, however the amount of the reported increases may be exaggerated given concerns

[10] Survey items related to monitoring with other education programs were somewhat different on the two surveys. In 1997, SEAs were asked if IDEA monitoring was conducted in conjunction with other SEA monitoring. In 2001, SEAs were asked if IDEA monitoring was consolidated with other education monitoring.

with the data described earlier. Narrative responses from the surveys did not provide more detailed descriptions of changes in monitoring personnel from year to year. More specifically, insight as to why increases in state monitoring personnel may be happening was not offered. Considering the movement toward a CIMP-like process, more state-level personnel may be needed to conduct improvement-oriented monitoring activities. Perhaps the emphasis on improving outcomes in IDEA 1997 has created a need for more state-level staff to provide feedback to LEAs and other entities. Further analysis of staffing patterns for monitoring could provide useful information for states. There is a need for more systematic data collection in this area to track changes over time.

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